

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF SECOND EMERGENCY AND PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (Commission), pursuant to the authority set forth in Section 8(c)(2) and (c)(20) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2); (20) (2012 Repl. & 2013 Supp.)) hereby gives notice of its intent to amend Chapters 4 (Taxicab Payment Services) 8 (Operation of Taxicabs) and 11 ([Public Vehicles for Hire Consumer Service Fund) of Title 31 (Taxicabs and Public Vehicles for Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed amendments update existing fees authorized by the Commission and clarify the definition of the integration service fee. These rules are necessary to clarify that the integration service fee must be charged consistently with the integration rules in Chapter 4, not merely “whenever” a digital payment is processed, as the rule had originally been written. These rules are also necessary to fund testing and licensing of new operators by the Office, which cannot otherwise be supported. Further, as a result of Section 2(j)(1) of the Public Vehicle for Hire Innovation Amendment Act of 2012, effective April 23, 2013 (D.C. Law 19-270; 60 DCR 1717) (“Innovation Act”) the Office must be “actively accepting and processing applications for the licensure of public vehicle-for-hire operators and vehicles” in order to enforce regulations prohibiting certain violations of intra-District transport (the reciprocity rules). Without setting the testing fees in this rulemaking, the Office continues to be unable to enforce these rules, which unfairly impacts District public vehicle for hire owners and operators. These rules therefore serve an immediate need to preserve and promote the safety and welfare of the District taxicab industry and the District residents and visitors they serve.

These rules were originally adopted on September 11, 2013 as Emergency and Proposed Rulemaking, became effective on Friday, September 13, 2013, and were published in the *D.C. Register* on September 27, 2013 at 60 DCR 13446. Portions of the original rulemaking are the subject of a separate final rulemaking adopted by the Commission. This Second Notice of Emergency and Proposed Rulemaking was adopted by the Commission on March 12, 2014 and became effective on Friday, March 14, 2014. The emergency rules shall remain in effect for one hundred twenty (120) days after the date of adoption, (expiring July 9, 2014), unless earlier superseded by an amendment or repeal by the Commission, or the publication of a final rulemaking, whichever occurs first.

Chapter 4, TAXICAB PAYMENT SERVICES, of Title 31, TAXICABS AND PUBLIC VEHICLES FOR HIRE, of the DCMR, is amended as follows:

Section 408, OPERATING REQUIREMENTS APPLICABLE TO PSPs AND DDSs, is amended as follows:

Subparagraph 408.16(b)(3)(A) is amended as follows:

408.16(b)(3) (A) Hardware integration requirements. Hardware integration between a

PSP and DDS shall provide for and require the following events to occur in the following order:

Subparagraph 408.16(b)(3)(A)(iii)(C) is amended by striking the “and” at the end of the paragraph.

Subparagraph 408.16(b)(3)(A)(iv) is amended by striking the period at the end of the paragraph and inserting the phrase “; and” in its place.

A new subparagraph (v) is added to read as follows:

(v) The DDS shall pay an integration service fee to the PSP.

Subparagraph 408.16(b)(3)(B)(v) is amended as follows:

(v) The DDS shall pay an integration service fee to the PSP.

Section 499, DEFINITIONS, is amended as follows:

Subsection 499.2 is amended as follows:

The definition of “Integration service fee” is amended to read as follows:

“Integration service fee” - a thirty five cent (\$0.35) fee paid by each DDS to a PSP with which it is integrated under this chapter, for the use of the PSP’s MTS, each time a digital payment is processed by the DDS, unless the DDS and PSP have integrated in a manner allowed by this chapter that does not require the payment of such fee.

Chapter 8, OPERATION OF TAXICABS, is amended as follows:

Subsection 827.1, Annual Operator ID License, is amended to read:

Hack License/Face Card	\$250 for two (2) years
Limo License/Face Card	\$300 for two (2) years
Taxi/Limo/Sedan Face Card	\$550 for two (2) years

Subsection 827.1, Pre-License Testing, is amended to read:

Pre-License Testing	
First Testing:	\$100

Second and additional testing: \$75

Chapter 11, PUBLIC VEHICLES FOR HIRE CONSUMER SERVICE FUND, is amended as follows:

Section 1104, FEES, is amended as follows:

Subsection 1104.1, amended to add the following fees:

Proposed PSP Application Fee (§ 403.3)	\$1000
Late Renewal Application Fee – PSP or DDS (§§ 406 or 1604.6)	\$1000
Vehicle Age Waiver Fee (§609)	\$50
Taximeter Business License Fee (§1305.1)	\$2,000; \$500 non-refundable
Dome Light Business Application Fee (§1505.1)	\$500
Dome Light Business Biennial Renewal Application Fee (§1505.3)	\$1500
Pair of taxicab passenger rate stickers	\$1.00

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Jacques P. Lerner, General Counsel and Secretary to the Commission, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to dctc@dc.gov or by mail to the DC Taxicab Commission, 2041 Martin Luther King, Jr., Ave., S.E., Suite 204, Washington, DC 20020, Attn: Jacques P. Lerner, General Counsel and Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.